



**STATE OF CONNECTICUT
JUDICIAL BRANCH**

EXTERNAL AFFAIRS DIVISION

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**Honorable Lynda B. Munro
Chief Administrative Judge, Family Matters
Select Committee on Children Public Hearing
February 26, 2009**

**House Bill 6486, An Act Concerning Responsible Fatherhood
And Strong Families**

Thank you for the opportunity to submit written comments on behalf of the Judicial Branch in regards to *House Bill 6486, An Act Concerning Responsible Fatherhood and Strong Families*.

The purpose of this bill is to create a problem solving court in Connecticut in order to improve responsible fatherhood, strengthen low-income families through the provision of services, and to provide certain parameters for noncustodial fathers who are in arrears of their child support payments. The Judicial Branch commends this effort designed to strengthen Connecticut's families.

The Connecticut Judiciary has not been idle in this area. Under the direction of the Chief Justice and the Chief Court Administrator, and in furtherance of the goals of the Public Service and Trust Commission, the Judicial Branch established a Problem Solving in Family Matters Committee, which I chair. The group is comprised of the necessary stakeholders for us to proceed with a thoughtful and economical way to bring the principals behind a problem solving court to all of our family support magistrate dockets.

The Branch's Problem Solving Committee is acutely aware of the budgetary restraints that currently exist in this state. Therefore, it is focused on identifying currently available programs in the community, through the Department of Correction, and through the Judicial Branch's own Court Support Services Division. The Committee is hoping to identify economies that can be realized by overlapping courts' interaction with the population targeted by this proposed bill and to find a way to harness that and provide services based on what we currently have available in an economical way.

This is an ambitious undertaking because it requires independently functioning courts and agencies to co-operate for this purpose. Finally, and perhaps most importantly the Committee is hoping that community service providers will be able to provide services through their invited presence in the courthouse on a designated basis to these families.

While the goal of this bill is laudable, its implementation would create a significant fiscal impact on the Judicial Branch and is not entirely consistent with the approach being taken by our Problem Solving Committee. Although we cannot support the bill in its current form, we are actively working with the proponents to craft mutually agreeable language so as to move this worthy concept forward and therefore ask that the Committee act favorably on this proposal.

Briefly, I must also address lines 27-29 of the bill which appear to create a statutory exemption from child support liability for any parent at or below the poverty line. This represents a dramatic departure from current practice and would require additional staffing and resources for our Support Enforcement Services (SES) unit to implement. Moreover, this language creates myriad unanswered questions since there is no existing mechanism to accurately determine whether an obligor is at or below the federal poverty level. Questions include:

- How would the determination be made about low income status, and by whom?
- How frequently would the determination need to be made and reviewed?
- How would SES know when to resume enforcing an order?

While the decision to exempt certain low income parents from child support obligations is certainly a policy decision within the purview of the legislature, we respectfully submit that this section could have severe fiscal implications because low income families in children in Connecticut would be compelled to rely upon public assistance benefits in lieu of child support. Again, we are working with the proponents to find an alternative means of achieving the implicit goals of this language without causing any adverse, unintended consequences.

Finally, I note that the bill includes the provision of legal counsel. As you know, this is a costly matter when broadly applied. Current law allows and even mandates the provision of counsel under certain specific circumstances. At this time, an expansion of the law in that regard will be financially burdensome. We look forward to collaborating in the refinement of this legislation to meet its lofty goals consistent with the concerns expressed here.

Thank you for the opportunity to submit written testimony on this bill.